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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/824,780

04/15/2004

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EXAMINER

KARKHANIS, AASHISH

ART UNIT

PAPER NUMBER

3714

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/824,780	Applicant(s) GENTLES ET AL.	
	Examiner Aashish Karkhanis	Art Unit 3714	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on 15 April 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-50 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-50 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 April 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>5/24/04, 7/28/05</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1. Claims 1 – 17 and 19 – 50 are rejected under 35 U.S.C. 102(b) as being anticipated by Cordero et al. (U.S. Patent Application Publication 2001/0044339 A1).

Regarding Claims 1, 4, 10, 12 – 14, 17, 23 – 24, 27, 29, Cordero discloses a gaming apparatus operatively connectable through a communication network to a gaming system server including at least one gaming terminal, operable to execute game software (para. 0007; where multiplayer game play is provided over a network), a secure communication apparatus, communicatively coupled to the gaming terminal and server, and operable to provide network access control for gaming information exchanged between the gaming terminal and server, and a communication network (para. 0012), an access control apparatus, communicatively coupled to the gaming terminal and server, and operable to prevent unauthorized access or malicious code access to gaming information within the gaming terminal or server (para. 0055; where players are granted or denied access based on player identification), and an integrity apparatus, communicatively coupled to the gaming terminal, and operable to ensure integrity of the gaming information within the gaming terminal and server (para. 0037; where a backup server is available to ensure the integrity of game system data).

Regarding Claims 2, 5, 11, 15, 25, 28, Cordero discloses a gaming apparatus wherein the secure communication apparatus is operable to exchange gaming information and prevent unauthorized access to game information that is selected from a group of information types, using an integrity apparatus, that includes the game software, game configuration data, game play data, game performance data, server-determined game outcomes, gaming device operations software, maintenance information, security data, player data, marketing data, operations data, accounting data, electronic fund transfer data, and wagering account transfer data (para. 0055; where players are granted or denied access to game software services based on player identification).

Regarding Claims 3, 26, Cordero discloses a gaming apparatus including at least one user interface selected from a group of user interfaces that includes a control panel, buttons, a coin acceptor, a note acceptor, one or more electro-mechanical reels, a keypad, one or more speakers, a card reader, a card reader display, a video display, a keyboard, a graphical interface unit display, a monitor, a printer, a modem, a tape drive, a digital Video disk drive, and a compact disk drive. (para. 0009; where multiple types of client systems, such as personal computers, games console systems, or personal digital assistants, each incorporating one or more of the above features may be used).

Regarding Claims 6 – 7, 30 – 33, Cordero discloses a gaming apparatus wherein the secure communication apparatus is further operable to execute virtual private network application software and implement a virtual private network tunneling protocol

(para. 0037) and includes a public network (para. 0010; where a virtual private network may be used over a public network, such as the Internet).

Regarding Claims 8 – 9 and 16, Cordero discloses a gaming apparatus wherein the secure communication apparatus includes one or more firewalls and execute a cryptographic method to ensure integrity of the gaming information and implement an authentication protocol to prevent unauthorized access to an encryption key (para. 0035; where protected systems use firewalls and security encryption algorithms to restrict access and defeat unauthorized access).

Regarding Claims 19 – 22, Cordero discloses a gaming apparatus wherein the first integrity apparatus is further operable monitor gaming information for deviations from one or more expected baselines, detect vulnerabilities in the gaming terminal, alter operations of the gaming terminal in response to detection of corrupt data or failure of the gaming terminal (para. 0073; where a number of system failures and breakdowns are accommodated by a system).

Regarding Claims 34 and 41, Cordero discloses a gaming system wherein the cryptographic protocol is selected from a group that includes a message authentication code protocol, a one-way hash protocol, a public-key cryptography protocol, a digital signature protocol, a symmetric encryption protocol, and a random number generator protocol (para. 0052; where message identification is used to verify identity).

Regarding Claims 35 – 36, Cordero discloses a gaming system wherein the firewall includes a programmable network processor and an adaptive computing

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integrated circuit (para. 0035; where a firewall works with a protected computer, which may be a highly developed adaptive computing integrated circuit system).

Regarding Claims 37 – 38, Cordero discloses a gaming system wherein each of the first access control apparatus and the second access control apparatus include at least one access control element, wherein the at least one access control element is selected from a group that includes a person authentication protocol, a software authentication protocol, a person authorization protocol, and an administration method (para. 0055; where a person identified and authenticated).

Regarding Claims 39 – 40, Cordero discloses a gaming system wherein the person authentication protocol is selected from a group that includes a username authentication protocol, a password authentication protocol, a biometric authentication protocol, and an access token authentication protocol (para. 0055; where a person identified and authenticated via an ID access token).

Regarding Claims 42 – 43, Cordero discloses a gaming system wherein each of the first integrity apparatus and the second integrity apparatus include at least one integrity element, wherein the at least one integrity element is selected from a group that includes an antivirus software, an antivirus scanner, an intrusion detection system, a data integrity system, an incident response protocol, a security management protocol, a vulnerability assessment protocol, and an authentication protocol (para. 0035; where each server is protected by an integrity apparatus including a security management firewall).

Regarding Claims 44 – 50, Cordero discloses a computer-readable medium having program instructions stored thereon to perform a method, which when executed within an electronic device, result in encrypting an executable software program to form a first encrypted executable software program at a gaming server, receiving, at a first firewall, a plurality of first data packets that includes the first encrypted executable software program, transmitting the plurality of first data packets when network layer information of the plurality of first data packets is verified against an access control list of the first firewall, receiving, at a programmable network processor, the plurality of first data packets, wherein the programmable network processor is configured to inspect application layer information of the plurality of first data packets (para 0080; where data along a communication path is encrypted, and where firewalls are negotiated between protected servers as described above), transmitting the plurality of first data packets when the application layer information of the plurality of first data packets is recognized as valid by the programmable network processor; receiving, at a gaming system server, the plurality of first data packets, decrypting the first encrypted executable software program received at the gaming system server to form a first decrypted version of the executable software program, authenticating the first decrypted version of the executable software program using a first predetermined criteria (para 0080; where data is decrypted when received), encrypting the first decrypted version of the executable software program to form a second encrypted executable software program when the first decrypted version of the executable software program is determined to be authentic, transmitting a plurality of second data packets that includes the second

encrypted executable software program across a communication network (para. 0080; fig. 2, elems. 110, 134; where the same communication network may be used in the same manner to distribute information from an authentication server, through a firewall, and to a plurality of client computers), receiving, at a gaming system terminal, the plurality of second data packets, decrypting the second encrypted executable software program received at the gaming system terminal to form a second decrypted version of the executable software program, authenticating the second decrypted version of the executable software program using a second predetermined criteria, and enabling execution of the second decrypted version of the executable software program when the second decrypted version of the executable software program is determined to be authentic (para. 0026; where client computers execute game programs in communication with game servers).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claim 18 is rejected under 35 U.S.C. 103(a) as being unpatentable over Cordero in view of Zucker et al. (U.S. Patent 6,468,155 B1).

Regarding Claim 18, Cordero discloses a gaming apparatus with a first integrity apparatus (para. 0037; where a backup server is available to ensure the integrity of

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game system data), but does not disclose an integrity apparatus with intrusion detection. However, Zucker teaches a security system which is further operable to detect intrusive network packets received by the gaming terminal (col. 7, lins. 4 – 9), in order to provide notifications of unauthorized access and increase security of a gaming system. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have modified the secure electronic gaming system with protective firewalls and backup database of Cordero with the secure electronic gaming system with intrusion detection of Zucker in order to provide notifications of unauthorized access and increase security of a gaming system.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U.S. Patent Application Publication 2001/0039210 A1: Secure Gaming Network.

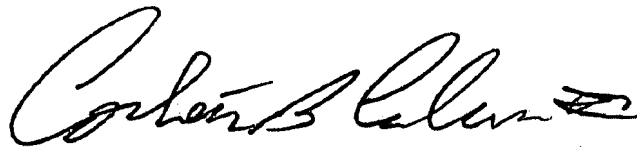
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Aashish Karkhanis whose telephone number is (571) 272-2774. The examiner can normally be reached on 0800-1630 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Pezzuto can be reached on (571) 272-6996. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

ARK

A handwritten signature in black ink, appearing to read "Corbett B. Coburn", with a stylized flourish at the end.

**CORBETT B. COBURN
PRIMARY EXAMINER**